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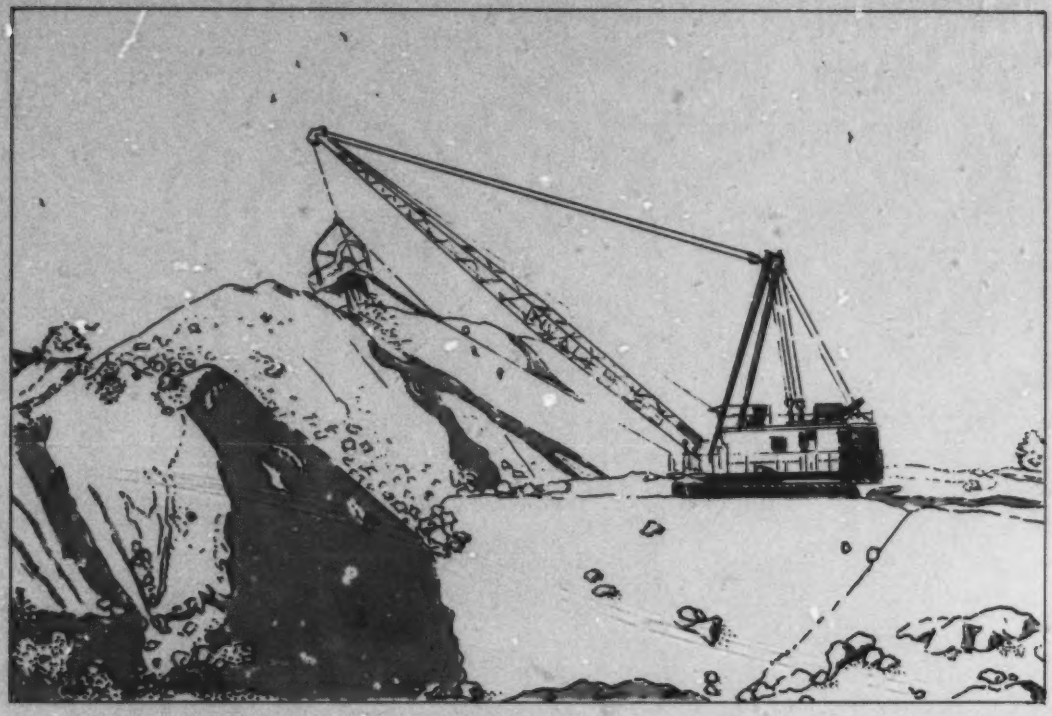
FINAL AMENDMENT OF THE SOUTHEAST OKLAHOMA MANAGEMENT FRAMEWORK PLAN AND MODIFICATION OF FEDERAL COAL LEASES



OK NM 0141015 AND OK BLM 017612

LE FLORE COUNTY, OKLAHOMA

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

TULSA DISTRICT

OKLAHOMA RESOURCE AREA

BLM-NM-PT-89-011-4120

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FINAL AMENDMENT OF THE SOUTHEAST OKLAHOMA MANAGEMENT FRAMEWORK PLAN AND MODIFICATION OF FEDERAL COAL LEASES OK NM 0141015 AND OK BLM 017612 LE FLORE COUNTY, OKLAHOMA

Prepared by

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

TULSA DISTRICT

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UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT
OKLAHOMA RESOURCE AREA OFFICE
200 NW Fifth Street, Room 548
Oklahoma City, Oklahoma 73102

In Reply Refer To:
OK NM 0141015
OK BLM 017612
3432 (047)

A Final Amendment of the Southeast Oklahoma Management Framework Plan (MFP) is attached, presenting the recommended decisions by the Bureau of Land Management (BLM). The amendment is in response to applications received from Evans Coal Company and Laredo Solid Fuels, Inc. for modification of two Federal coal leases in Le Flore County, Oklahoma. The BLM, Tulsa District, prepared this Final Amendment to identify Federal coal lands within the two application areas that are acceptable for further consideration for leasing.

The recommended decisions within this document are the result of the analysis of the alternatives presented in the Draft Amendment. The Draft Amendment was made available for public comment from January 30, 1989 through March 13, 1989. This document incorporates the Draft Amendment by reference and includes comments received during the review process.

The release of this document shall initiate a 30-day formal protest period on the recommended decisions. Any person, group or agency who participated in the planning process and has an interest which may be adversely affected by a recommended decision may enter a protest regarding only those issues submitted for the record during the preparation of the Draft and Final Amendments. All protests shall be filed with the Director (760), Bureau of Land Management, 18th & C Streets, N.W., Premier Bldg., Room 909, Washington, D.C., 20240. A protest shall contain: (1) Name, mailing address, telephone number and interest; (2) Statement of issue(s) or portion of the Draft/Final Amendment being protested; (3) Documentation of material submitted during the amendment process; and (4) A concise statement explaining why the State Director's decision is believed to be wrong.

Thank you for participating in the land use planning process for public lands and minerals administered by the BLM in Oklahoma.

Sincerely,

Paul W. Tanner
Area Manager

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RECOMMENDED DECISION

Evans LMA

The recommended decision is to adopt the Preferred Alternative as presented in the Draft Amendment to the Southeast Oklahoma Management Framework Plan (MFP). The 120-acre lease modification area (LMA) is hereby desigated as acceptable for further consideration for leasing to Evans Coal Company. Evans Federal lease OK BLM 017612 is to be modified for inclusion of the following described lands:

Township 9 North, Range 24 East, Indian Meridian, Oklahoma,

Section 25: NE1/4NW1/4,
S1/2NW1/4.

Acreage: 120.00

The lease modification serves the interests of the United States. The small size of the LMA, thinness of the coal bed and limited amount of recoverable reserves preclude competitive development as part of another potential operation. Adjacent coal reserves are either leased to Evans or have been removed by past operations. Leasing of the coal reserves to Evans would enhance maximum economic recovery of both Federal and fee reserves in the area.

No Federal, state or local agencies identified the lease modification as being incompatible with their policies, plans and programs in the area.

As mitigation of potential resource impacts the following special stipulations are recommended to be attached to the standard stipulations of the lease:

1. The lessee shall not conduct surface mining operations within 100 feet of the graveled county road located on the north and west boundaries of Section 25, unless a variance is obtained from the Le Flore County Commissioner and a permit is issued by the Authorized Officer. An estimated 0.5 acres and 5,000 tons are affected by the right-of-way.

2. The lessee shall seed the banks of all diversion ditches to grasses, eroding areas shall be sodded. Rip-rap shall be utilized wherever erosion persists on the banks and rock check dams shall be constructed wherever the water flow identifies erodible portions of the channel bottom.

3. In those edge areas where adequate amounts of naturally occurring vegetation are not growing, as determined by the Authorized Officer of the BLM, the lessee shall include at least three of the following plant species, or other species as approved by the Authorized Officer of the BLM, in the reclamation seed mixture: Illinois bundle flower, vetch, lespedeza, multiflower rose, sunflower and bluestem. This seed mixture will be planted over the entire reclaimed area or in sheltered/selected areas along the edge of woodlands, berms/banks, impoundments and/or fence rows.

4. The lessee shall construct brush piles along the diversion berms/banks to mitigate the loss of wooded habitats along the diversion of the southwest to northeast oriented segment of the unnamed tributary to Redbank Creek and the diking/berming of the southeast to northwest oriented segment of the unnamed tributary to Redbank Creek. The trees and brush removed shall be utilized to construct wildlife habitat brush piles along one or both sides of the diversion and berms. The linear distance of the brush piles shall be equivalent to 50 percent of the length of the longest berm/bank. each brush pile shall be no less than 400 square feet in area and no less than five feet tall. Such brush piles will remain in place permanently or until written approval to remove some or all brush piles is received from the Authorized Officer of the BLM.

5. A detailed diversion and tree planting plan shall be submitted by the lessee for approval by the Authorized Officer of the BLM, if the southeast to northwest oriented segment of the unnamed tributary is to be diverted. This is the stream segment which divides the lease area into two units. Planting of at least two tree species and a 50 percent survival rate shall be required.

6. The lessee shall construct a minimum of one permanent impoundment/pond on the reclaimed area. An effort shall be made to increase the shallow water zone around the entire perimeter of each impoundment to a depth of 5 to 10 inches and a minimum width of 5 feet. Plans and specifications shall be certified by a registered professional engineer and approved by the Authorized Officer of the BLM prior to construction.

A review of the Southeast Oklahoma MFP Amendment indicates that there would be no significant impacts on the human environment which would require preparation of an environmental impact statement as a result of adopting the recommended decision.

3/15/89
Date

Paul W.Tanner
Area Manager, ORA, BLM

I concur:

3/16/89
Date

Jim Sims
District Manager, TDO, BLM

3/20/89
Date

Larry L. Woodard
State Director, NM, BLM

RECOMMENDED DECISION

Laredo LMA

The recommended decision is to adopt the Preferred Alternative as presented in the Draft Amendment to the Southeast Oklahoma Management Framework Plan (MFP). The 50-acre lease modification area (LMA) is hereby desigated as acceptable for further consideration for leasing to Laredo Solid Fuels. Laredo Federal lease OK NM 0141015 is to be modified for inclusion of the following described lands:

Township 5 North, Range 25 East, Indian Meridian, Oklahoma,

Section 25: NE1/4SW1/4NW1/4,
S1/2SW1/4NW1/4,
N1/2SE1/4NW1/4.

Acreage: 50.00

The lease modification serves the interests of the United States. The small size of the LMA, thinness of the coal bed and limited amount of recoverable reserves preclude competitive development as part of another potential operation. Adjacent coal reserves are either leased to Laredo or have been removed by past operations. Leasing of the coal reserves to Laredo would enhance maximum economic recovery of both Federal and fee reserves in the area.

No Federal, state or local agencies identified the lease modification as being incompatible with their policies, plans and programs in the area.

As mitigation of potential resource impacts the following special stipulations are recommended to be attached to the standard stipulations of the lease:

1. In those edge areas where adequate amounts of naturally occurring vegetation are not growing, as determined by the Authorized Officer of the BLM, the lessee shall include at least three of the following plant species as approved by the Authorized Officer of the BLM, in the reclamation seed mixture: Illinois bundle flower, vetch, lespedeza, multiflower rose, sunflower and bluestem. This seed mixture will be planted over the entire reclaimed area or in sheltered/selected areas along the edge of woodlands, berms/banks, impoundments and/or fence rows.

A review of the Southeast Oklahoma MFP Amendment indicates that there would be no significant impacts on the human environment which would require preparation of an environmental impact statement as a result of adopting the recommended decision.

3/16/89
Date

Paul W.Tanner
Area Manager, ORA, BLM

I concur:

3/16/89
Date

Jim Sims
District Manager, TDO, BLM

3/20/89
Date

Larry L. Woodard
State Director, NM, BLM

CHAPTER 7

COORDINATION, CONSISTENCY AND PUBLIC PARTICIPATION

C. PUBLIC COMMENTS AND RESPONSE

The Draft Amendment was made available for public comment from January 30, 1989 through March 13, 1989. Two comment letters were received during the review period (refer to Table 7-2). None of the letters indicated opposition to the proposed amendment.

TABLE 7-2

PUBLIC COMMENTS AND RESPONSE

RESPONDENT	RESPONSE SUMMARY
State Agencies	
Oklahoma Biological Survey Oklahoma Natural Heritage Program	No record of occurrences of rare species or ecologically important biotic communities near the LMAs. No recent field inspections have been performed. They cannot state for certain whether or not the LMAs harbor rare species or significant communities.
Oklahoma Department of Wildlife Conservation	The MFP amendment conforms with applicable Federal regulations and will have no significant impacts on the fish and wildlife resources in the area. They concur with the amendment as presented.

Source: Bureau of Land Management, 1989.